

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2011

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

**TWENTY-SECOND DAY
FEBRUARY 22, 2011**

OFFICE OF THE CHIEF CLERK

A handwritten signature in black ink, appearing to be a stylized 'S' or 'J' with a flourish.

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TWENTY-SECOND DAY

Tuesday, February 22, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:11 o'clock p.m., with Vice Speaker Manahan presiding, after which the Roll was called showing all Members present with the exception of Representatives Aquino, Cabanilla, Carroll, Cullen, Har, Say and Takai.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 28 and 29) were received and announced by the Clerk:

Sen. Com. No. 28, transmitting S.B. No. 219, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on February 18, 2011.

Sen. Com. No. 29, transmitting S.B. No. 1089, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," which passed Third Reading in the Senate on February 18, 2011.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Aquino, Cabanilla, Carroll, Cullen, Har, Say and Takai were excused.)

S.B. No. 219, SD 1
S.B. No. 1089, SD 1

INTRODUCTIONS

The following introduction was made to the Members of the House:

REMARKS DELIVERED: Rep. Ching

At 12:15 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

REMARKS DELIVERED: Vice Speaker Manahan

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Har, Say and Takai were excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 420) recommending that S.B. No. 8, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the committee be adopted, and that S.B. No. 8, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ward
Rep. Fontaine
Rep. Pine
Rep. Johanson

TO BE INSERTED: Rep. Pine
Rep. Johanson

(Submit by Friday, February 25)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 8, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 838, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 838, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

At 12:37 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 8, SD 1, HD 2
H.B. No. 838, HD 2

THIRD READING

H.B. No. 593, HD 1:

Representative B. Oshiro moved that H.B. No. 593, HD 1, pass Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Pine

TO BE INSERTED: Rep. Pine
(Submit by Friday, February 25)

The motion was put to vote by the Chair and carried, and H.B. No. 593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOMINATION PAPERS," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

H.B. No. 555, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

H.B. No. 298, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 298, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

H.B. No. 243, HD 1:

Representative B. Oshiro moved that H.B. No. 243, HD 1, pass Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Fontaine

TO BE INSERTED: Rep. Fontaine
(Submit by Friday, February 25)

The motion was put to vote by the Chair and carried, and H.B. No. 243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

H.B. No. 827, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 827, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

At 12:39 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

S.B. No. 1286, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1286, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Har, Say and Takai being excused.

At 12:40 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 593, HD 1
H.B. No. 555, HD 1
H.B. No. 298, HD 1
H.B. No. 243, HD 1
H.B. No. 827, HD 1
S.B. No. 1286, SD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 47 through 55) and concurrent resolutions (H.C.R. Nos. 54 through 62) were referred to Printing and further action was deferred:

H.R. No. 47, entitled: "HOUSE RESOLUTION REQUESTING THE STATE BUILDING CODE COUNCIL TO ADOPT THE REQUIREMENT THAT AUTOMATIC FIRE SPRINKLERS BE INSTALLED IN NEW ONE- AND TWO-FAMILY DWELLINGS," was jointly offered by Representatives Yamane, Aquino, Cullen, M. Lee, Manahan, Tsuji and Yamashita.

H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A PAIN AND PALLIATIVE CARE POLICY," was jointly offered by Representatives Yamane and Morikawa.

H.R. No. 49, entitled: "HOUSE RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Hanohano, Har, Keith-Agaran, M. Lee, Manahan, McKelvey, Morikawa, Aquino, Awana, Cullen, Nakashima, Nishimoto and Tokioka.

H.R. No. 50, entitled: "HOUSE RESOLUTION COMMENDING THE CITY AND COUNTY OF HONOLULU FOR ITS OUTSTANDING SERVICE IN REDUCING THE BACKLOG OF MUCH-NEEDED STREET REPAIRS AND REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET, AS WELL AS UPGRADES TO A PORTION OF KALIHI STREET," was offered by Representative Mizuno.

H.R. No. 51, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO DESIGNATE SEPTEMBER AS "HAWAII FIVE-0" MONTH," was jointly offered by Representatives Mizuno, Brower and Takai.

H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was jointly offered by Representatives Mizuno and Tokioka.

H.R. No. 53, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was jointly offered by Representatives Mizuno, Aquino, Awana, Cabanilla, Keith-Agaran, M. Lee, Manahan and Pine.

H.R. No. 54, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO DEVELOP AND IMPLEMENT A TRAINING PROGRAM FOR FAMILY COURT JUDGES AND GUARDIANS AD LITEM TO BETTER RECOGNIZE AND UNDERSTAND DOMESTIC VIOLENCE," was jointly offered by Representatives Mizuno, Aquino, Awana, Cabanilla, M. Lee, Manahan and Pine.

H.R. No. 55, entitled: "HOUSE RESOLUTION URGING CONGRESS TO SUPPORT FEDERAL LEGISLATION PROHIBITING HEALTH INSURERS FROM DENYING COVERAGE TO VICTIMS OF DOMESTIC VIOLENCE ON THE GROUNDS THAT IT IS A PRE-EXISTING CONDITION," was jointly offered by Representatives Mizuno, Aquino, Awana, Cabanilla, M. Lee, Manahan and Pine.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE BUILDING CODE COUNCIL TO ADOPT THE REQUIREMENT THAT AUTOMATIC FIRE SPRINKLERS BE INSTALLED IN NEW ONE- AND TWO-FAMILY DWELLINGS," was jointly offered by Representatives Yamane, Aquino, Cullen, M. Lee, Manahan, Tsuji and Yamashita.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A PAIN AND PALLIATIVE CARE POLICY," was jointly offered by Representatives Yamane and Morikawa.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was jointly offered by Representatives Mizuno, Brower, Cabanilla, Fontaine, Hanohano, Har, Keith-Agaran, M. Lee, Manahan, McKelvey, Morikawa, Souki, Aquino, Awana, Cullen, Nakashima, Nishimoto and Tokioka.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE CITY AND COUNTY OF HONOLULU FOR ITS OUTSTANDING SERVICE IN REDUCING THE BACKLOG OF MUCH-NEEDED STREET REPAIRS AND REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET, AS WELL AS UPGRADES TO A PORTION OF KALIHI STREET," was offered by Representative Mizuno.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DESIGNATE SEPTEMBER AS "HAWAII FIVE-0" MONTH," was jointly offered by Representatives Mizuno, Brower and Takai.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was jointly offered by Representatives Mizuno and Tokioka.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH," was jointly offered by Representatives Mizuno, Aquino, Awana, Cabanilla, Keith-Agaran, M. Lee, Manahan, Pine, Morikawa and Riviere.

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO DEVELOP AND IMPLEMENT A TRAINING PROGRAM FOR FAMILY COURT JUDGES AND GUARDIANS AD LITEM TO BETTER RECOGNIZE AND UNDERSTAND DOMESTIC VIOLENCE," was jointly offered by Representatives Mizuno, Aquino, Awana, Cabanilla, M. Lee, Manahan, Pine, Morikawa and Riviere.

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO SUPPORT FEDERAL LEGISLATION PROHIBITING HEALTH INSURERS FROM DENYING COVERAGE TO VICTIMS OF DOMESTIC VIOLENCE ON THE GROUNDS THAT IT IS A PRE-EXISTING CONDITION," was jointly offered by Representatives Mizuno, Aquino, Awana, Cabanilla, M. Lee, Manahan, Morikawa, Pine and Riviere.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

| <u>H.B.</u> <u>Nos.</u> | <u>Re-referred to:</u> |
|----------------------------|---|
| 21 | Jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| 196 | Committee on Finance |
| 747 | Committee on Judiciary |
| 814 | Committee on Finance |
| 815 | Committee on Finance |
| 817 | Committee on Finance |
| 1130 | Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary |
| 1378 | Committee on Finance |

ADJOURNMENT

At 12:41 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 23, 2011. (Representatives Carroll, Har, Say and Takai were excused.)